



BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE

AGENDA

November 5, 2007

Commissioner David Lillard, Chairman
Commissioner Deidre Malone, Chairman Pro Tempore
Commissioner Joyce Avery
Commissioner Henri E. Brooks
Commissioner Wyatt Bunker
Commissioner Mike Carpenter
Commissioner Sidney Chism

Commissioner George Flinn
Commissioner Joe Ford
Commissioner J.W. Gibson II
Commissioner James Harvey
Commissioner Steve Mulroy
Commissioner Mike Ritz

11/2/2007 5:46 PM

1:30 P.M.

COMMISSION CONVENES

CALL TO ORDER

Chairman David Lillard

OPENING OF THE COMMISSION

Deputy Sheriff

INVOCATION

Presiding Bishop Charles E. Blake
International Presiding Bishop of
the Church of God In Christ
Pastor of the West Angeles Church of God
in Christ

PLEDGE OF ALLEGIANCE

ROLL CALL

Approval of Minutes of Previous Session
October 22, 2007

C O N S E N T A G E N D A

Resolutions of Memorial, Sympathy and Commendation

1. Resolution honoring the Church of God in Christ, Inc. for one hundred years of Christian witness and compassionate service to the world. Sponsored by Commissioner Deidre Malone.

2. Resolution honoring Chairman David Lillard for extraordinary service as President of the Tennessee County Commissioners Association for 2006-2007. Cosponsored by Commissioner Joyce Avery and Commissioner Mike Ritz.

Ordinances

CHISM

Chairman, Law Enforcement Committee

3. **ORDINANCE - FIRST READING** - An ordinance to amend ordinance No. 342 entitled “an ordinance to amend the Shelby County Code of Ordinances, Chapter 20, Article III, Section 20-37 Relative to compliance with Tennessee’s Financial Responsibility Law of 1977.” Sponsored by Commissioner Wyatt Bunker.

RITZ

Chairman, Land Use Committee

4. **ORDINANCE – SECOND READING** – A joint ordinance and resolution (ZTA 07-001 CC) amending section 26 (overlay district regulations FP flood plain district) of the Joint Memphis and Shelby County Zoning Ordinance – regulations adopted by the Shelby County Board of Commissioners on October 6, 1980 and the City Council of the City of Memphis on October 7, 1980, being Resolution and Zoning Ordinance No. 3064, as amended to adopt provisions pf Model Flood Plan Management Ordinance. Sponsored by Commissioner Wyatt Bunker. (Amended in Committee 10/31/07)

RITZ

Chairman, Land Use Committee

5. **ORDINANCE – FIRST READING** – A joint ordinance (STA 07-001 CC) amending the Memphis and Shelby County Subdivision regulations, adopted by the Shelby County Board of Commissioners and the City Council of the City of Memphis on December 19, 1983, being ordinance and resolution No. 3352, so as to make certain changes therein by revising the requirements by providing high intensity soil maps prior to approval of preliminary plans for lots where public sewer is not available. Sponsored by Commissioner Mike Ritz. (Amended in committee and deferred to 12/3/07)

Zoning and Subdivisions

RITZ

Chairman, Land Use Committee

6. Resolution approving various subdivision items, plats, extensions, etc. as recommended by the County Engineer.
- a. Resolution to release the bond that secured the improvements to Fountain Brook P.D., Phase 1 (P.D. 04-370 CC) – (Deferred to 11/19/07)
 - b. Resolution to release the bond that secured the improvements to Fountain Brook P.D., Phase 2 (P.D. 04-370 CC) -(Deferred to 11/19/07)

Reports and/or Resolutions for Standing Committees

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| MALONE
Chairman, Budget
Committee | 7. | Resolution approving a contract in the amount of \$103,264.00 for the purchase of and Ansul Sapphire Fire detection and suppression system for the protection of the County’s telephone and phone switches located at 6470 Haley Rd., 1075 Mullins Station, 201 Poplar, and 814 Jefferson Ave. This item requires expenditure of county general funds in the amount of \$103,264.00. Sponsored by Commissioner Deidre Malone. (Deferred to 11/19) |
| MALONE
Chairman, Budget
Committee | 8. | Resolution approving an amendment in the amount of \$91,230.00 with International Business Machines, Inc. (IBM, Inc.) for maintenance of the visualage pacbase support software and this item requires the expenditure of County General funds in the amount of \$91,230.00. Sponsored by Commissioner Deidre Malone. |
| MALONE
Chairman, Budget
Committee | 9. | A resolution approving the amendment to the contract with Tyler Technologies, Inc./ CLT Division for creation of a custom respond report to add necessary functionality to the lasworld system in the amount of \$6,000.00 and appropriating said amount for fiscal year 2007-2008 operating budget of the Shelby County Assessor. This item requires expenditure of County General Funds in the amount of \$6,000.00. Sponsored by Commissioner Ford. (Deferred to 11/19/07) |
| AVERY
Chairman, Hospitals and Health
Committee | 10. | Resolution endorsing principles to promote public mental health and recovery for all persons and governing treatment, care, and protection of persons with mental illness and intellectual disabilities. Sponsored by Commissioner Joyce Avery. |
| FLINN
Chairman, Community Services
Committee | 11. | A resolution approving a contract addendum no.1 in the amount of \$6,955 with the City of Memphis- Work Force Investment Network Program due to change in participant’s wage and fringe benefits and this item requires expenditure of City of Memphis Workforce Investment Funds in the amount of \$6,955. Sponsored by Commissioner George Flinn. |
| FLINN
Chairman, Community Services
Committee | 12. | A resolution approving a contract in the amount of \$58,228 with Alzheimer’s Association for the provision of caregiver education to help caregivers make decisions and solve problems relating to their care giving role under the National Family Caregiver Support Program and which requires expenditure of federal grant funds in the total amount of \$58,228. Sponsored by Commissioner Joyce Avery. |

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| FLINN

Chairman, Community Services
Committee | 13. | A resolution approving a contract in the amount of \$56,000 with Lauderdale County Commission on Aging for the provision of senior center activities to Tennessee Citizens age 60 and older and which requires expenditure of federal grant funds in the total amount of \$56,000. Sponsored by Commissioner Joyce Avery. |
| FLINN

Chairman, Community Services
Committee | 14. | A resolution approving a contract in the amount of \$82,500 with Sitters, Inc. for the provision of homemaker, personal care and adult care/sitter respite services as authorized to eligible consumers in Shelby, Lauderdale, Fayette, and Tipton Counties and which requires expenditure of state grant funds and federal grant funds in the total amount of \$82,500. Sponsored by Commissioner Joyce Avery. |
| FLINN

Chairman, Community Services
Committee | 15. | A resolution approving a contract in the amount of \$52,000 with Fayette County Commission on Aging and Disability for the provision of senior center activities in Galloway and Somerville to Tennessee Citizens age 60 and older and which requires expenditure of state grant funds and federal grant funds in the total amount of \$52,000. Sponsored by Commissioner Joyce Avery. |
| FLINN

Chairman, Community Services
Committee | 16. | Resolution requesting the Shelby County Administration and the Shelby County Attorney to prepare and present reports to the Shelby County Board of Commissioners relative to the Shelby County Administration's plans regarding Head Start. Sponsored by Commissioner Mike Ritz. (Deferred to 11/19/07) |

REGULAR AGENDA

Elections, Appointments, and Confirmations

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| FORD

Chairman, General Government
Committee | 17. | Resolution approving the County Mayor's Nomination of Emily Trenholm and Jon E. McCreery for appointment to the Shelby County Land Use Control Board. This resolution is sponsored by Commissioner Joe Ford. |
| FORD

Chairman, General Government
Committee | 18. | Resolution appointing the Honorable Arthur Bennett, the Honorable Joseph Dailey, The Honorable Terry Lafferty, The Honorable William Jenkins, Mary Beard, Don Strother, Bev Pray, Pete Gathje, Pablo Davis, Karen Williams, Naomi Dyson as chairperson, and Jackie Sharp to the Shelby County Ethics Commission Sponsored by Commissioner Mike Ritz. |

Ordinances

- RITZ**
Chairman,
Land Use Committee

19.

ORDINANCE—THIRD READING –A joint ordinance amending the Memphis and Shelby County Zoning Ordinance regulations adopted by the Shelby County Board of Commissioners on October 6, 1980, and by the Council of the City of Memphis on October 7, 1980, being Resolution and Ordinance No. 3064, as amended, so as to make certain changes therein as follows: amend Section 30(B)(6)/16-116-2(F) to specify that Cessation of Use due to loss of license or permit for 365 consecutive days terminates a Nonconforming Use. ZTA No. 07-002CC. Sponsored by Commissioner Mulroy.

Zoning and Subdivisions

Reports and/or Resolutions for Standing Committees

- MALONE**
Chairman,
Budget Committee

20.

Resolution amending the FY 08 appropriating budget transferring funds in the amount of \$25,000.00 from Commissioner Contingency Funds, and \$25,000 from Sheriff Narcotics funds to provide a portion of the funding for appropriation to fund the Jericho Project, a post booking jail diversion effort, approving a contract with comprehensive counseling network in the amount of \$75,000.00. This item requires expenditure of County General Funds and the Sheriff’s Narcotics Fund. This resolution is sponsored by Commissioner Deidre Malone.
- MALONE**
Chairman,
Budget Committee

21.

Resolution increasing the amount on contracts required to be submitted for County Commission approval pursuant to Shelby County Charter, Article III, Section 3.03 (N). Sponsored by Commissioner J.W. Gibson.
(Amended in Committee 10/31/07)
- BUNKER**
Chairman, Public Works
Committee

22.

Resolution approving contract in he amount of \$274,422.00 with Salton Companies, LLC for the provision of window replacement, Phase 2, at Peggy Edmiston Administration Building, and this item requires expenditure of County Capital Improvement Funds in the amount of \$274, 422.00 from the FY 2007-2008 budget for CIP project number 101710, office buildings. Sponsored by Commissioner David Lillard.
(Failed in Committee 10/31/07)
- CHISM**
Chairman, Law Enforcement
Committee

23.

Resolution amending the resolution creating a task force to study the viability of a Shelby County Family Court adopted as Item No. 25 on September 24, 2007. This Resolution does not require the expenditure of County Funds. Sponsored by Commissioner Mike Ritz.

RITZ Chairman, Land Use Committee	24.	A joint resolution of the Board of County Commissioners of Shelby County, Tennessee and Council of the City of Memphis amending the Memphis and Shelby County Community Redevelopment Agency (CSA) Strategic Plan/ CRA Workable Program Resolution sponsored by Commissioner Deidre Malone.
RITZ Chairman, Land Use Committee	25.	A joint resolution of the Board of County Commissioners of Shelby County, Tennessee, and Council of the City of Memphis adopting a finding of conditions necessary for community redevelopment for the University Neighborhood Development Corporation (UNDC)/ Highland Row Area. Resolution Sponsored by Commissioner Deidre Malone.
RITZ Chairman, Land Use Committee	26.	A joint resolution of the Board of Commissioners of Shelby County, Tennessee and the Council of the City of Memphis adopting a community redevelopment plan for the University Neighborhood Development Plan (UNDC)/ Highland Row Area. Resolution sponsored by Commissioner Deidre Malone.
RITZ Chairman, Land Use Committee	27.	A Joint ordinance of the Board of County Commissioners of Shelby County, Tennessee and Council of the City of Memphis enacted pursuant to the Community Redevelopment Act of 1998; providing for the creation of a Redevelopment Trust Fund pursuant to Section 21 of the Act. Ordinance sponsored by Commissioner Deidre Malone.
HARVEY Chairman, Economic Development Committee	28.	Resolution approving a contract and appropriating funds in an amount not to exceed \$1,000,000.00 with Memphis Chamber Foundation for facilitation of economic development in Memphis and Shelby County and this item requires expenditure of County Economic Development Funds in an amount not to exceed \$1,000,000.00. Sponsored by Commissioner James Harvey. (Amended in Committee 10/31/07)
FORD Chairman, General Government Committee	29.	Resolution amending Shelby County Retirement System Plan A to increase optional cash-out amounts with respect to terminated participants. Sponsored by Commissioner Joe Ford. (Amended in Committee 10/31/07)
FORD Chairman, General Government Committee	30.	Resolution amending Shelby County Retirement System Plan C to increase optional cash-out amounts with respect to terminated participants. Sponsored by Commissioner Joe Ford. (Amended in Committee 10/31/07)
FORD Chairman, General Government Committee	31.	Resolution amending Shelby County Retirement System Plan A to Establish an exception to prevent the interruption of service relative to certain elected officials subject to term limits who are subsequently elected. Sponsored by Commissioner Joe Ford.

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| FORD
Chairman, General Government
Committee | 32. | Resolution amending Shelby County Retirement System Plan C to establish an exception to prevent the interruption of service relative to certain elected officials subject to term limits who are subsequently elected. Sponsored by Commissioner Joe Ford. |
| FORD
Chairman, General Government
Committee | 33. | Resolution approving the Shelby County Compensation Policy for fiscal year 2007-2008. This resolution is sponsored by Commissioner Henri Brooks. (Deferred to 11/19/07) |
| MULROY
Chairman, Legislative
Committee | 34. | A resolution urging the Shelby County Legislative Delegation to oppose the passage of legislation allowing the establishment of Special School Districts in Shelby County. Sponsored by Commissioner Mike Carpenter. (Deferred to 11/19/07) |

Announcements/Statements

Adjournment

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| 35. | Resolution of Adjournment to Monday, November 19, 2007 at 1:30 p.m. |
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[If you have any questions about this agenda, please call Steve Summerall, Chief Administrator, at 545-4301]